



**CITY OF DURHAM | NORTH CAROLINA**

**Date:** December 4, 2012  
**To:** Thomas J. Bonfield, City Manager  
**Through:** Keith Chadwell, Deputy City Manager  
**From:** Donald F. Greeley, Director, Water Management  
Vicki P. Westbrook, Assistant Director, Water Management  
**Subject:** Approval of the 2007 Local Water Supply Plan for the City of Durham

### **Executive Summary**

In 1989, the North Carolina General Assembly passed General Statute 143-355 requiring each public water provider in North Carolina to develop and submit a Local Water Supply Plan (LWSP) to the Department of Environment and Natural Resources (DENR). The first plan was due for the year 1992 and updated plans were to be submitted every five years. Durham submitted the initial 1992 plan as well as the required updates in 1997 and 2002, receiving approval by DENR for each prior to having City Council approve and adopt by resolution. The most recent five-year plan update for calendar year 2007 was submitted by the due date of April 1, 2008; however the official review by the state was not completed until September 2012. Staff was notified by letter that the required information was complete and the LWSP meets the minimum criteria for content established by GS 143-355.

In order to meet all requirements of the statute, the governing body must approve the plan and the adopted resolution must be submitted to DENR for the LWSP to be considered compliant.

### **Recommendation**

The department recommends that the City Council adopt the resolution approving the 2007 Water Supply Plan for the City of Durham.

### **Background**

In 1989, the North Carolina General Assembly passed General Statute 143-355 requiring each public water provider in North Carolina to develop and submit a Local Water Supply Plan (LWSP) to the Department of Environment and Natural Resources (DENR). The goal of the statute was twofold: 1) the State wanted to ensure that North Carolina water providers were planning, either as a single unit or with others, adequately to meet the water source needs of their growing communities, and 2) that appropriate and up-to-date information was submitted to DENR to develop a statewide water supply plan.

The plans describe general system information such as current water supply sources and treatment plant capacities, population served, water consumption by customer sector and wastewater discharges. Plans must also forecast water demand projections for a 20 to 40 year horizon based on anticipated growth in the service area, estimating population to be served, consumption by sector and wastewater discharges based on best available data. Any additional water supplies and their yields must also be included, as well as sales and purchases from interconnected utilities. Additionally, plans must include conservation measures, industrial water use and other factors – such as economic conditions – that could impact future water demands.

The first plan was due for the calendar year 1992 and updated plans were to be submitted every five years. Durham submitted the initial 1992 plan as well as the required updates in 1997 and 2002, receiving approval by DENR for each prior to having City Council approve and adopt the updated plans by resolution. During the last several years, DENR has migrated from paper worksheet submittals to online submittals. They have also required the submittal of annual Water Supply System Reports which are almost as comprehensive as the LWSP. Both the LWSP and the annual system reports are reviewed by DENR but only the formal, every five year plans require official approval and adoption by local governing boards.

The most recent five-year LWSP plan update for calendar year 2007 was submitted by the due date of April 1, 2008 and included the City's Water Shortage Response Plan (WSRP) to meet an additional DENR requirement. The WSRP was reviewed outside of the LWSP and was approved for adoption by the City in September of 2009; however the official review of the 2007 LWSP by the state was not completed until September 2012. Staff was notified by letter that the required information was complete and that the 2007 LWSP meets the minimum criteria for content established by GS 143-355. In order to meet all requirements of the statute, the governing body must approve the plan and the adopted resolution must be submitted to DENR for the LWSP to be considered compliant.

### **Issues/Analysis**

The information contained in the 2007 Local Water Supply Plan for the City of Durham is correct based on best available data at that time. A number of planning activities conducted as a part of the Jordan Lake Partnership Regional Water Supply Plan or master planning efforts for water supply and treatment facilities have provided updated information for inclusion in the annual system reports. Changes in customer usage and population estimates (now based on the 2010 Census) and other factors have resulted in moderate changes to water demands and wastewater discharges which are reflected in subsequent reports posted online at the DENR website. These factors do not substantially alter the City's long range plans for future water supplies such as use of Teer Quarry and the need for an additional allocation from Jordan Lake.

### **Alternatives**

The alternative of not adopting the resolution places the City in noncompliance with the requirement of NCGS 143-355 (I).

### **Financial Impacts**

No financial impacts are anticipated.

### **SDBE Summary**

The Ordinance to Promote Equal Opportunity in City Contracting does not apply to this item.